

**PATENT: Mail Stop AF**  
 Attorney Docket No. 09046.0001-00000

**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of:	)	
	)	
David PATTILLO, <i>et al.</i>	)	Group Art Unit: 3736
	)	
Application No.: 10/755,536	)	
	)	Examiner: Helen Nguyen
Filed: January 12, 2004	)	
	)	
For: SYSTEM AND METHOD OF	)	Confirmation No.: 1331
DYNAMICALLY ASSESSING	)	
FOOT CHARACTERISTICS	)	

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**Mail Stop AF**

**NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31**

Sir:

Applicants appeal to the Board of Patent Appeals and Interferences from the  
 Examiner's decision mailed January 23, 2008.

The item(s) checked below are appropriate:

1. ☒ Applicants petition for a three-month extension of time, based on the mailing date of the outstanding Office action.
2. ☐ Applicant has previously filed a Petition for extension of time extending the period for response to the outstanding Office action to [Date]. Applicant now petitions for an additional extension of time to extend the period for response to [Date]. The petition fee of \$[Fee] is enclosed.
3. ☒ Please charge the Notice of Appeal Fee in the amount of \$510.00 to Deposit Account 06-0916.
4. ☐ The Notice of Appeal Fee was previously paid in this application on [Date], but the appeal was not completed. Accordingly, no Appeal Fee is due at this time.

07/23/2008 VBUI11 00000023 060916 10755536  
 01 FC:1401 510.00 DA

5. ☐ A pre-appeal brief conference is requested. The request and supporting documentation are attached.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: July 22, 2008

By: 

Cortney S. Alexander  
Reg. No. 54,778  
(404) 653-5400